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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**
7 **SEATTLE DIVISION**

8 **GARY FORMHALS,**

9 *Plaintiff,*

10 v.

11 **WASHINGTON STATE PARKS AND**
12 **RECREATION COMMISSION, et al.,**

13 *Defendants.*

Case No. 2:23-cv-00702-RSL

STIPULATED MOTION TO
STAY PROCEEDINGS

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15 **STIPULATED MOTION TO STAY PROCEEDINGS**
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17 Plaintiff, Gary Formhals and Defendants Washington State Parks and Recreation
18 Commission; Diana Dupuis, in her official capacity as Director of the Washington State
19 Parks and Recreation Commission; Andrew Southard, in his individual and official
20 capacities; Paul Ruppert, in his individual and official capacities(collectively “Defendants”),
21 by and through their attorneys, hereby stipulate to stay proceedings in this case in light of
22 pending settlement negotiations.
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24 On May 12, 2023, Plaintiff Formhals filed a complaint against Defendants for
25 alleging violations of the First and Fourteenth Amendments.

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1 On July 14, 2023, the court issued an Order Regarding Initial Disclosures, Joint State
2 Report, and Early Settlement setting the following deadlines: Deadline for FRCP 26(f)
3 Conference of July 27, 2023; Initial Disclosures Pursuant to RCP 26(a)(1) due on August 3,
4 2023; and Combined Joint Status Report and Discovery Plan due on August 10, 2023. See
5 Docket No. 15.

6 On July 26, 2023, following a request and agreement by the Parties, the Court entered
7 an Amended Order Regarding Initial Disclosures, Joint State Report, and Early Settlement
8 and extending initial case scheduling deadlines as follows: Deadline for FRCP 26(f)
9 Conference of September 26, 2023; Initial Disclosures Pursuant to RCP 26(a)(1) due on
10 October 3, 2023; and Combined Joint Status Report and Discovery Plan due on October 10,
11 2023. See Docket No. 16.

12 On July 27, 2023, Plaintiff filed a waiver of service of summons for each of the
13 Defendants dated July 26, 2023. Defendants' deadline to respond to the Complaint is
14 September 25, 2023.

15 The Parties have agreed to stay proceedings in this case to allow for ongoing
16 settlement discussions.

17 NOW THEREFORE, it is hereby stipulated and agreed to by and between the Parties,
18 subject to the approval of the Court, that:

19 (1) Further proceedings in this matter, including all current deadlines, shall be stayed
20 until November 15, 2023 to allow the parties to continue with good-faith settlement
21 negotiations;

22 (2) On November 15, 2023, the Parties will file a Joint Status Report notifying the
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27 STIPULATED MOTION
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Court of whether the Parties have reached a settlement, or whether their intention is to proceed with litigation;

(3) If settlement is not reached by the Parties will proceed with litigation pursuant to the following deadlines:

Deadline for Defendants to Respond to Complaint November 21, 2023

Deadline for FRCP 26(f) Conference November 22, 2023

Initial Disclosures Pursuant to RCP 26(a)(1) November 29, 2023

Combined Joint Status Report and Discovery Plan December 6, 2023

PRESENTED BY:

DATED this 21st day of September, 2023

DATED this 21st day of September, 2023

s/ Abigail A. Southerland

Abigail A Southerland*

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**Attorneys for Defendants Washington
State Parks and Recreation Commission,
Diana Dupuis, Andrew Southard, and Paul
Ruppert**


Attorneys for Plaintiff

*Admitted pro hac vice

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9 **ORDER**

10 IT IS SO ORDERED

11 Dated this 22nd day of September, 2023.

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14 Robert S. Lasnik
15 United States District Judge
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27 STIPULATED MOTION
28 TO STAY PROCEEDINGS - 4

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